

UNITED STATES DISTRICT COURT

Southern District of Mississippi

Jackson Division

UNITED STATES OF AMERICA

V.

JIMMIE E. WINSTON

JUDGMENT IN A CRIMINAL CASE

(For Revocation of Probation or Supervised Release)

(For Offenses Committed On or After November 1, 1987)

Case Number: 3:00cr41TSL-JCS

USM Number: 05790-043

Defendant's Attorney: Kathy Nester, Federal Public Defender
 200 S. Lamar Street, Suite 100-S
 Jackson, MS 39201
 601-948-4284

THE DEFENDANT:

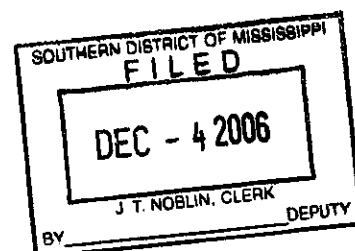
- ☒ admitted guilty to violation of condition(s) Mandatory Condition, Standard Condition #1, Special Condition #1 of the term of supervision.
- ☐ was found in violation of condition(s) _____ after denial of guilt.

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Concluded</u>
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Mandatory Condition

Failed to pay Court Ordered restitution as directed. The Judgment and Commitment in this case ordered the defendant to pay \$12,785 restitution in equal monthly installments, with the balance due during the thirty-fourth (34th) month of supervision. On November 22, 2005, the supervised releasee executed a financial obligation agreement to begin making monthly payments of not less than \$50.00. To date, U.S. Clerk records reflect that only the \$100.00 special assessment has been paid in this case, and no restitution payments have been received.

12-01-06



The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has not violated condition(s) _____ and is discharged as to such violation(s) condition.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the Court and United States Attorney of any material change in the defendant's economic circumstances.

December 1, 2006

Date of Imposition of Judgment

Signature of Judicial Officer

Tom S. Lee, Senior U.S. District Court Judge

Name and Title of Judicial Officer

12/1/06

Date

AO (Rev. 9/00) Judgment in a Criminal Case for Revocations
Sheet 1— Reverse

Judgment—Page 2 of 5

DEFENDANT: JIMMIE WINSTON
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ADDITIONAL VIOLATIONS

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Concluded</u>
Standard Condition #1	Left the Judicial District without first securing permission of the U.S. Probation Officer as evidenced by: 1) On September 14, 2006, the writer and USPO Wes Fentress conducted an unannounced visit with the offender at 1119 E. 7th Street, Bogalusa, Louisiana 70427. 2) During such visit, the offender verbally admitted to both officers that he had been residing at such Bogalusa address for approximately two (2) months.	09-22-06
Special Condition #1	Failed to complete or pursue a General Education Equivalency (GED) as ordered by the Court.	09-22-06

DEFENDANT: **JIMMIE WINSTON**
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IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of eleven (11) months with no supervised release to follow imprisonment.
The cost of incarceration is waived.

☐ The Court makes the following recommendations to the Bureau of Prisons:

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____ .

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on _____ .

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____ with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: **JIMMIE WINSTON**
CASE NUMBER: **3:00cr41TSL-JCS**

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the Schedule of Payments set forth on Sheet 5, Part B.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$	\$	\$ 12,785.00**

****Balance of \$12,785.00 previously ordered fine, in accordance with the original Order, dated September 14, 2000.**

☐ The determination of restitution is deferred until _____. An Amended Judgment in a Criminal Case (AO245C) will be entered after such determination.

☐ The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid in full prior to the United States receiving payment.

<u>Name of Payee</u>	<u>*Total Amount of Loss</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
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TOTALS \$ _____ \$ _____

☐ If applicable, restitution amount ordered pursuant to plea agreement \$ _____.

☐ The defendant shall pay interest on any fine or restitution of more than \$2,500, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 5, Part B may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The Court determined that the defendant does not have the ability to pay interest, and it is ordered that:

☐ the interest requirement is waived for the ☐ fine and/or ☐ restitution.

☐ the interest requirement for the ☐ fine and/or ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.

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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A ☐ Lump sum payment of \$ _____ due immediately, balance due
- ☐ not later than _____, or
☐ in accordance with ☐ C, ☐ D, or ☐ E below; or
- B ☒ Payment to begin immediately (may be combined with ☐ C, ☐ D, ☒ E below); or
- C ☐ Payment in _____ (e.g., equal, weekly, monthly, quarterly) installments of \$ _____ per month
_____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in _____ (e.g., equal, weekly, monthly, quarterly) installments of \$ _____ over a period of
_____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a
term of supervision; or
- E ☒ Special instructions regarding the payment of criminal monetary penalties:

It is ordered by the Court that the collection of the remaining restitution balance be collected by the U.S. Attorney's Office, Financial Litigation Unit, Southern District of Mississippi.

Unless the Court has expressly ordered otherwise in the special instruction above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the Clerk of the Court, unless otherwise directed by the Court, the Probation Officer, or the United States Attorney.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant Name, Case Number, and Joint and Several Amount:

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest (7) penalties, and (8) costs, including cost of prosecution and court costs.